

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
PORTLAND DIVISION

ROBIN RUSSELL,

Plaintiff,

No. 3:10-cv-6278-JE

v.

MICHAEL J. ASTRUE,  
Commissioner of Social Security,

ORDER

Defendant.

HERNANDEZ, District Judge:

Magistrate Judge Jelderks issued a Findings and Recommendation (#17) on April 5, 2012, in which he recommends that this Court reverse the Commissioner's decision and remand the action for further proceedings.

The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, I am relieved of my obligation to review the record *de novo*. United States v.

Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc); see also United States v. Bernhardt, 840 F.2d 1441, 1444 (9th Cir. 1988) (*de novo* review required only for portions of Magistrate Judge's report to which objections have been made). Having reviewed the legal principles *de novo*, I find no error.

#### CONCLUSION

The Court ADOPTS Magistrate Judge Jelderks's Findings & Recommendation [17]. Accordingly, the Commissioners' decision is reversed and remanded for further proceedings.

IT IS SO ORDERED.

DATED this 25<sup>th</sup> day of May, 2012.

/s/ Marco A. Hernandez  
MARCO A. HERNANDEZ  
United States District Judge